

No. **2020-6474**

**Official Order
of the
Texas Commissioner of Insurance**

Date: 09/18/2020

Subject Considered:

**National Council on Compensation Insurance Filing
*Item P-1417—Terrorism Risk Insurance Program Reauthorization Act of
2019 Endorsements***

The subject of this order is the adoption of amendments to the National Council on Compensation Insurance (NCCI) *Forms Manual of Workers Compensation and Employers Liability Insurance (Forms Manual)*, as proposed in *Item P-1417—Terrorism Risk Insurance Program Reauthorization Act of 2019 Endorsements* (TDI ECase No. 24268; SERFF Tracking No. NCCI-132299810).

Background

The amendments in *Item P-1417* revise and withdraw endorsements in the *Forms Manual* as a result of the enactment of the Terrorism Risk Insurance Program Reauthorization Act of 2019 (TRIPRA of 2019).

The Terrorism Risk Insurance Act of 2002 (TRIA) initially provided a temporary program under which the federal government would share in the payment of insured losses caused by certain acts of terrorism. TRIA was renewed in 2005, 2007, and 2015. The US Congress enacted TRIPRA of 2019 on December 20, 2019.

After considering the filing, TDI adopts the following findings of fact and conclusions of law.

Findings of Fact

1. NCCI filed *Item P-1417* with TDI on March 23, 2020, under the workers' compensation manual rule filing procedure adopted in Commissioner's Order No. 3142, dated March 21, 2014.
2. *Item P-1417* implements the latest renewal of TRIPRA by amending the *Forms Manual* to:
 - a. update TRIPRA references to TRIPRA of 2019,
 - b. remove program trigger amounts and the percentage of losses that the U.S. Government would pay for calendar years 2015-2020,
 - c. make minor grammatical revisions, and
 - d. withdraw the endorsement notifying policyholders of the impending expiration of the 2015 TRIPRA.
3. NCCI proposed that the changes in *Item P-1417* apply to new and renewal policies that are effective on or after 12:01 a.m. on January 1, 2021.
4. *Item P-1417* has been available for public inspection in SERFF and at TDI since the filing date.
5. The filing, including exhibits, is incorporated by reference into this order.
6. On May 11, 2020, TDI published notice of the filing on the TDI website at www.tdi.texas.gov/rules/2020/nccimannual.html and distributed notice of the filing to electronic news subscribers.
7. TDI received no written comments on the filing by the June 22, 2020, deadline.

Conclusions of Law

1. TDI has jurisdiction over this matter under Insurance Code Article 5.96 and §§2051.002, 2051.201, 2052.002, 2053.002, 2053.011, 2053.051, and 2053.052.
2. TDI gave notice in compliance with Commissioner's Order No. 3142.
3. The amendments to the NCCI Forms Manual are consistent with Insurance Code Article 5.96 and Chapters 2051, 2052, and 2053.

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4. Applying the changes in *Item P-1417* to new and renewal policies that are effective on or after 12:01 a.m. on January 1, 2021, is reasonable.

Order

It is ordered that NCCI's filing, *Item P-1417—Terrorism Risk Insurance Program Reauthorization Act of 2019 Endorsements*, is approved. The changes in *Item P-1417* apply to new and renewal policies that are effective on or after 12:01 a.m. on January 1, 2021.

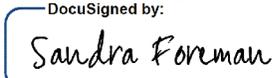
Kent C. Sullivan
Commissioner of Insurance

By: 
Doug Slape
Chief Deputy Commissioner
Commissioner's Order No. 2018-5528

Recommended by:


Mark Worman, Deputy Commissioner

Reviewed by:


Sandra Foreman, Staff Attorney